

MEETINGS TO DATE 17  
NO. OF REGULARS 15  
NO. OF SPECIALS 2

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LANCASTER, NEW YORK  
AUGUST 2, 1976

A Regular Meeting of the Town Board of the Town of Lancaster,  
Erie County, New York, was held at the Town Hall at Lancaster, New York  
on the 2nd day of August, 1976 and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR  
JOSEPH R. BARNHARDT, COUNCILMAN  
EDWARD A. BERENT, COUNCILMAN  
ARTEL J. METZ, COUNCILMAN

ABSENT: PETER J. BOLENDER, COUNCILMAN

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
DOMINIC J. TERRANOVA, TOWN ATTORNEY  
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY  
EDWARD J. FERON, JR., TOWN ENGINEER  
JOHN F. LUME, HIGHWAY SUPERINTENDENT  
VICTOR H. OTT, POLICE CHIEF

BID OPENINGS:

None

PUBLIC HEARINGS:

None

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Police Department	May, 1976
Building Inspector	July, 1976
Zoning Inspector	May and June, 1976
Town Justice Dwan	June, 1976

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Planning Board	Meeting #11 - July 7, 1976
Recreation Commission	July 22, 1976

COMMITTEE REPORTS:

None

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board,  
held on July 19, 1976, as presented by the Town Clerk, be and hereby are  
approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED WAS ABSENT

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duky~~  
The resolution was thereupon unanimously adopted.

August 2, 1976

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCILMAN METZ , WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCILMAN  
 BARNHARDT , TO WIT:

RESOLVED, that the following transfer within the General Fund of  
 the Town of Lancaster be and hereby is effected:

	<u>Account</u>	<u>To</u>	<u>Amount</u>	<u>Account</u>	<u>From</u>	<u>Amount</u>
<u>Recreation</u>						
Pool						
Contractual Expense	7180.411		\$ 1450.00			
Personal Services				7180.1		\$ 1450.00

The question of the adoption of the foregoing resolution was duly  
 put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES  
 COUNCILMAN BERENT VOTED YES  
 COUNCILMAN BOLENDER VOTED WAS ABSENT  
 SUPERVISOR KEYSA VOTED YES  
 COUNCILMAN METZ VOTED YES

~~duky~~  
 The resolution was thereupon unanimously adopted.

August 2, 1976

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

WHEREAS, by letter of May 28, 1976, Lancaster Central School District has requested an amendment to a certain lighting agreement made by and between the Town of Lancaster and said School District dated June 16, 1975, covering lighting in Bowmansville Elementary, Hillview Elementary and the Central Avenue School Parking Lots, said amendment to include an additional light and pole at the Central Avenue School Parking Lot, and

WHEREAS, New York State Electric & Gas Corporation has submitted a proposal for said installation,

NOW, THEREFORE, BE IT

RESOLVED, that the following installation be and hereby is authorized to be added to the aforesaid agreement under the same terms and conditions as contained in said agreement of June 16, 1975:

School Bus Parking Lot (Central Avenue)

Install 1 - 42000 lumen HPS lamp  
@ \$100.00 (Pole 93-2-6) \$ 100.00

Annual Increase \$ 100.00

and

BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is authorized and directed to prepare an Addendum to the aforesaid agreement with Lancaster Central School District to include the aforementioned additional lamp.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED WAS ABSENT
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

*dux*

The resolution was thereupon unanimously adopted.

August 2, 1976

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Clarence, acting on behalf of Harris Hill Fire Protection District of the Town of Clarence, has executed an Agreement with the Master Water Improvement Area of the Town of Lancaster, which sets forth the terms and conditions under which said Harris Hill Fire Protection District will be permitted use of 7 hydrants situate on the south line of Wehrle Drive between Transit Road and David Road in the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster, acting on behalf of the Master Water Improvement Area of the Town of Lancaster, be and hereby is authorized and directed to execute said Agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED WAS ABSENT

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~xxx~~  
The resolution was thereupon unanimously adopted.

August 2, 1976

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT, TO WIT:

WHEREAS, a public hearing was held on the 19th day of July, 1976,  
for the purpose of amending the Zoning Ordinance and Zoning Map of the Town of  
Lancaster, and

WHEREAS, a Notice of said public hearing has been duly published and  
posted, and

WHEREAS, the Planning Board of the Town of Lancaster and the Planning  
Consultant have recommended the rezone of the hereinafter described parcel of  
real property, and

WHEREAS, the Town of Cheektowaga has been given notice of such  
public hearing, and

WHEREAS, in accordance with Section 239 (m) of the General Municipal  
Law of the State of New York, the Erie County Department of Planning has  
reviewed such application for rezone and has no objection to said rezone,

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of  
Lancaster is hereby amended and changed so that the real property hereinafter,  
described is changed from an RC, Residence-Restricted Business District, to a  
C1, Local Retail Business District, in accordance with a certain development  
plan filed with the Town Clerk of the Town of Lancaster and in accordance with  
the provisions of Chapter 50-126 of the Code of the Town of Lancaster entitled  
"Provisional Amendments", to wit: "Within a period of six (6) months from the  
approval of this provisional amendment, no building permit shall be issued  
for any property within the area described by this amendment except in  
accordance with the approved development plan and with all conditions and  
limitations placed thereon by the Town Board, or in accordance with the  
zoning regulations applicable prior to the reclassification action. Unless  
application for a building permit for such special development is made within  
six (6) months from the Town Board's approval and unless development of the  
area included in such development plan is commenced within a period of one (1)  
year after the Town Board's approval, said approval shall be void and zoning

classification shall be as it was when the petition for amendment was filed":

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, described as follows:

BEGINNING at a point, being approximately six hundred sixty-eight and ninety-two hundredths (668.92) feet south of the intersection of the northerly line of Farm Lot ninety-six (96) with the easterly line of Transit Road; thence easterly three hundred sixteen and ninety-eight hundredths (316.98) feet to a point; thence southerly three hundred nine and twenty hundredths (309.20) feet to a point; thence westerly three hundred sixteen and ninety-eight hundredths (316.98) feet to the east line of Transit Road; thence northerly three hundred nine and twenty hundredths (309.20) feet along the east line of Transit Road to the point and place of beginning

and

BE IT FURTHER

RESOLVED, as follows:

1. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 2nd day of August, 1976, and
2. That a certified copy thereof be published in the Lancaster Enterprise-Journal on August 5, 1976, and
3. That affidavit of publication be filed with the Town Clerk, and
4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED WAS ABSENT
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~and~~  
The resolution was thereupon unanimously adopted.

August 2, 1976

LEGAL NOTICE  
NOTICE OF ADOPTION  
AMENDMENT TO ZONING ORDINANCE  
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from an RC, Residence-Restricted Business District, to a CI, Local Retail Business District, in accordance with a certain development plan filed with the Town Clerk of the Town of Lancaster and in accordance with the provisions of Chapter 50-126 of the Code of the Town of Lancaster entitled "Provisional Amendments", to wit: "Within a period of six (6) months from the approval of this provisional amendment, no building permit shall be issued for any property within the area described by this amendment except in accordance with the approved development plan and with all conditions and limitations placed thereon by the Town Board, or in accordance with the zoning regulations applicable prior to the reclassification action. Unless application for a building permit for such special development is made within six (6) months from the Town Board's approval and unless development of the area included in such development plan is commenced within a period of one (1) year after the Town Board's approval, said approval shall be void and the zoning classification shall be as it was when the petition for amendment was filed":

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, described as follows:

BEGINNING at a point, being approximately six hundred sixty-eight and ninety-two hundredths (668.92) feet south of the intersection of the northerly line of Farm Lot ninety-six (96) with the easterly line of Transit Road; thence easterly three hundred sixteen and ninety-eight hundredths (316.98) feet to a point; thence southerly three hundred nine and twenty hundredths (309.20) feet to a point; thence westerly three hundred sixteen and ninety-eight hundredths (316.98) feet to the east line of Transit Road; thence northerly three hundred nine and twenty hundredths (309.20) feet along the east line of Transit Road to the point and place of beginning.

RESOLVED, that pursuant to Section 66 of the Election Law of the State of New York, this Town Board hereby designates the following Polling Places in each Election District of the Town of Lancaster at which meetings for the Registration of voters and conduction of Elections and Primaries shall be held during the year following the ensuing 1st day of October, 1976:

ELECTION DIST.

POLLING PLACE

1	Town Hall, 21 Central Avenue, Lancaster, NY
2	Court Street School, 109 Court Street, Lancaster, NY
3	Court Street School, 109 Court Street, Lancaster, NY
4	Como Park School, 1985 Como Park Blvd., Lancaster, NY
5	Como Park School, 1985 Como Park Blvd., Lancaster, NY
6	Aurora Middle School, 148 Aurora Street, Lancaster, NY
7	Lancaster Municipal Building, Broadway, Lancaster, NY
8	St. Mary's High School, Laverack Avenue, Lancaster, NY
9	Fire Hall, 16 West Drullard Avenue, Lancaster, NY
10	Central Avenue School, 149 Central Avenue, Lancaster, NY
11	Fire Hall, Meridian Street, Depew, NY
12	Fire Hall, Meridian Street, Depew, NY
13	St. Augustine's School, Gould Ave. & Manitou St., Depew, NY
14	North Side Fire Hall, Brewster Street, Depew, NY
15	SS. Peter & Paul School, Burlington Avenue, Depew, NY
16	Bowmansville School, Genesee St. @ Martha Rd, Bowmansville, NY
17	Lancaster Town Center, 525 Pavement Road, Lancaster, NY
18	Town Line Fire Hall, 6503 Broadway, Town Line, NY
19	Town Storage Building, Bowen Rd. & William St., Lancaster, NY
20	Twin District Fire Hall, 4989 William Street, Lancaster, NY
21	North Side Fire Hall, Brewster Street, Depew, NY
22	Lancaster Sr. High School, 551 Central Avenue, Lancaster, NY
23	Aurora Middle School, 148 Aurora Street, Lancaster, NY
24	Village Dept. of Public Works Bldg, 5200 Broadway, Lancaster, NY
25	Fire Hall, 16 West Drullard Avenue, Lancaster, NY
26	SS. Peter & Paul School, Burlington Avenue, Depew, NY

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES  
COUNCILMAN BERENT VOTED YES  
COUNCILMAN BOLENDER VOTED WAS ABSENT

SUPERVISOR KEYS VOTED YES  
COUNCILMAN METZ VOTED YES

~~duky~~

The resolution was thereupon unanimously adopted.

August 2, 1976

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, The Erie and Niagara Counties Regional Planning Board has  
forwarded a land use map for the Town of Lancaster, and

WHEREAS, the Environmental Conservation Commission of the Town of  
Lancaster and the Town Board have reviewed the location of the various land  
uses depicted on the map and shown such corrections and/or changes in red ink  
on said map,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor hereby is authorized to comment and  
return the up-dated community land use map for the Town of Lancaster to the  
Erie and Niagara Counties Regional Planning Board in accordance with their  
request dated July 8, 1976.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED WAS ABSENT
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~duky~~  
The resolution was thereupon unanimously adopted.

August 2, 1976

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has submitted an application to the State Council of Parks and Outdoor Recreation for Federal Assistance under the Land and Water Conservation Fund Act of 1965 (Public Law 88-578), and

WHEREAS, the Commissioner of Parks and Recreation (hereinafter called "Commissioner") pursuant to Section 1-0312 of the Conservation Law, and on the recommendation of the State Council of Parks and Outdoor Recreation, has entered into an agreement dated the 4th day of June, 1976, with the United States of America, acting by and through the Bureau of Outdoor Recreation of the United States Department of Interior, (hereinafter called "BOR"), for the payment of Federal Assistance for the project stage hereinbefore described, of a maximum grant of \$60,000, and said agreement has been approved by the Commissioner and BOR, and

WHEREAS, pursuant to Section 1-0312 of the Conservation Law, the Town of Lancaster hereby assures Parks that it has available sufficient funds to meet its share of the cost of such project stage as authorized by Chapter 558 of the Laws of 1965 and acts amendatory thereto, and

WHEREAS, BOR has obligated itself to fully reimburse Parks for Federal Assistance payments to be made in the first intance by Parks to the Town of Lancaster pursuant to this agreement,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes and directs the Supervisor of the Town of Lancaster to execute the contract for Project 75-5052, BOR 36-00386, Walden Pond Park, Town of Lancaster, and take such action as shall be necessary to implement the terms and conditions of said agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES  
COUNCILMAN BERENT VOTED YES  
COUNCILMAN BOLENDER WAS ABSENT

SUPERVISOR KEYSA VOTED YES  
COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

August 2, 1976

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, Dennis Richards, 3736 Walden Avenue, Lancaster, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property situate at the northwest corner of Walden Avenue and Mohawk Place from an RC, Residence-Restricted Business District, to an M1, Light Industrial District, and

WHEREAS, this petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 16th day of August, 1976, at 8:15 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, the official newspaper, and be posted on the Town Bulletin Board; and that copy of such Notice of Hearing be referred to the Erie County Department of Planning and to the Village Clerk of the Village of Lancaster at least ten days prior to the date of such hearing, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in the following form:

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 2nd day of August, 1976, the said Town Board will hold a Public Hearing on the 16th day of August, 1976, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an RC, Residence-Restricted Business District, to an M1, Light Industrial District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 11, Section 8, Township 11, Range 6 of the Holland Land Company's Survey, and being further known and distinguished as Subdivision Lots Nos. 167, 168, 317 and 318 according to a map filed in the Erie County Clerk's Office under Cover No. 900. Said Subdivision Lots Nos. 167 and 168 aforesaid, situate on the north side of Walden Avenue, (formerly Ellicott Road), corner Brandel Avenue, also known as Mohawk Place (a paper street), being approximately seventy-one (71) feet in frontage on Walden Avenue by seventy (70) feet in rear and having a length of 105.35 feet on its easterly line and its west line being approximately 122 feet in length. Said Subdivision Lots Nos. 317 and 318 aforesaid are approximately 70 feet by 120 feet and are located contiguous to and north of said Subdivision Lots Nos. 167 and 168.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

By: ROBERT P. THILL  
Town Clerk

Dated: August 2, 1976

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES  
COUNCILMAN BERENT VOTED YES  
COUNCILMAN BOLENDER WAS ABSENT

SUPERVISOR KEYSA VOTED YES  
COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Town of Lancaster, through its Recreation Commission from time to time in cooperation with the Lancaster Central School District operates swimming and playground programs utilizing Lancaster Central School District property, and

WHEREAS, the Lancaster Central School District and the Town of Lancaster deem it in the public interest for the Town of Lancaster to provide liability insurance and assume responsibility for such programs on a more formal basis, and

WHEREAS, the attorney for the Lancaster Central School District and the Town Attorney have negotiated an agreement setting forth such provision for liability insurance and assumption of responsibility for such programs, which agreement has been filed with the Town Clerk of the Town of Lancaster and approved by the Town Attorney,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement, effective July 1, 1976, by and between the Town of Lancaster and the Lancaster Central School District providing liability insurance and assume responsibility for swimming and playground programs conducted by the Town of Lancaster Recreation Commission and/or other departments or agencies of the Town of Lancaster on Lancaster Central School District premises, and

BE IT FURTHER

RESOLVED, that all executed copies be forwarded by the Town Attorney to the School Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED WAS ABSENT
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~duky~~

The resolution was thereupon unanimously adopted.

August 2, 1976

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, Angelo and Fanny Arcadi, 79 Lake Avenue, Lancaster, New York, have petitioned the Town Board of the Town of Lancaster for the provisional rezone of certain property situate at the northwest corner of Walden Avenue and Stony Road from an RC, Residence-Restricted Business District, to a C2, General Commercial District, in accordance with the provisions of Chapter 50-126 of the Code of the Town of Lancaster entitled "Provisional Amendments" and in accordance with a certain development plan filed with the Town Clerk of the Town of Lancaster, and

WHEREAS, this petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 16th day of August, 1976, at 8:00 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, the official newspaper, and be posted on the Town Bulletin Board, and that copy of such Notice of Hearing be referred to the Erie County Department of Planning pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in the following form:

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 2nd day of August, 1976, the said Town Board will hold a Public Hearing on the 16th day of August, 1976, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, provisionally rezoning the following described real property from an RC, Residence-Restricted Business District, to a C2, General Commercial District, in accordance with the provisions of Chapter 50-126 of the Code of the Town of Lancaster entitled "Provisional Amendments" and in accordance with a certain development plan filed with the Town Clerk of the Town of Lancaster:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 4, Section 8, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at the intersection of the northerly line of Walden Avenue (99 foot right of way) and the westerly line of Stony Road (66 foot right of way); thence northerly along the westerly line of Stony Road 218.5 feet to a point; thence westerly at right angles 264.55 feet to a point; thence southerly and parallel with the westerly line of Stony Road 278.5 feet to the northerly line of Walden Avenue; thence north-easterly along the northerly line of Walden Avenue 270.55 feet to the point or place of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

By: ROBERT P. THILL  
Town Clerk

Dated: August 2, 1976

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES  
COUNCILMAN BERENT VOTED YES  
COUNCILMAN BOLENDER WAS ABSENT

SUPERVISOR KEYSA VOTED YES  
COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCILMAN METZ WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCILMAN  
 BARNHARDT , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
 ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 3927 to 3973 Incl.	\$ 38,762.49
Special District Funds	No. 154. to 156 Incl.	\$ 724.73
Part Town Funds	No. 329 to 331 Incl.	\$ 374.44
Highway Funds	No. 911 to 926 Incl.	\$ 13,816.48
Federal Revenue Sharing	No. 310 to 322 Incl.	\$ 8,738.42

The question of the adoption of the foregoing resolution was  
 duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES  
 COUNCILMAN BERENT VOTED YES  
 COUNCILMAN BOLENDER VOTED WAS ABSENT  
 SUPERVISOR KEYSA VOTED YES  
 COUNCILMAN METZ VOTED YES

~~and~~  
 The resolution was thereupon unanimously adopted.

August 2, 1976

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

RESOLVED, that the following Building Permit Applications be  
and are hereby approved and the issuance of Building Permits be and are  
hereby authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
73	James Klein	35 Kennedy Court	ER. FR. FENCE
74	Wm. Wierzbowski	6336 Broadway	ER. FR. SHED
75	Jack Demanti	354 Stony	EXT. FR. SIN. DWLG.
76	Russell Salvatore	6461 Transit	ER. FIBER. STEEL SIGN

The question of the adoption of the foregoing resolution was  
duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES  
COUNCILMAN BERENT VOTED YES  
COUNCILMAN BOLENDER VOTED WAS ABSENT  
SUPERVISOR KEYSA VOTED YES  
COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

August 2, 1976

STATUS REPORT ON UNFINISHED BUSINESS:1. Walden Pond Park - Federal Assistance Application

On August 2, 1976, the Supervisor was authorized by resolution to execute a contract for this project with the Bureau of Outdoor Recreation and to take such action as shall be necessary for the development of this park complex.

2. Rezone Petition, Angelo and Fanny Arcadi

On August 2, 1976, the Town Board set a Public Hearing on this petition for August 16, 1976 at 8:00 P.M.

3. Rezone Petition, Josela Enterprises

On August 2, 1976, the Town Board adopted a resolution granting the proposed provisional rezone. The Town Clerk was directed to remove this item from the future agendas of the Town Board.

4. Subdivision Approval, Josela Enterprises, "Countryside Subdivision"

On February 6, 1976, the Planning Board granted preliminary approval to the subdivider for this subdivision. The subdivider must now proceed with Step 5 of "Steps for Control of Land Subdivision" and proceed with the preparation of a final plat.

5. Rezone Petition, Dennis Richards

On August 2, 1976, the Town Board set a Public Hearing on this petition for August 16, 1976 at 8:15 P.M.

6. Rezone Petition, Macaluso Building Corp.

On June 21, 1976, this rezone petition was presented to the Town Board and referred to the Planning Board for review and report.

7. Rezone Petition, Broadway Steinfeldt Inc.

On July 20, 1976, this rezone petition was presented to the Town Board and referred to the Planning Board for review and report.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mr. James E. Riffel, Vice President of Josela Enterprises, Inc., thanked the Town Board for approving their rezone petition.

COMMUNICATIONS:DISPOSITION

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| 402. Town Clerk to Town<br>Resume of actions taken in response<br>to directions and resolutions of<br>the Town Board Meeting of 7/19/76.  | R & F              |
| 403. Copies of the May and June, 1976<br>Reports of the Zoning Inspector.   | R & F              |
| 404. Supervisor to Town Board -<br>Notification of investment of<br>\$200,000. with dollar earnings of<br>\$1,497.25.   | R & F              |
| 405. Comm., N.Y.S. Parks and Recreation to<br>Supervisor -<br>Notification of approval of \$60,000.<br>grant for Walden Pond Park.  | R & F              |
| 406. Bus. Adm., Iroquois Central Schools to<br>Supervisor -<br>Notification of members of the<br>Iroquois C.S. Board of Education.  | R & F              |
| 407. Copy of the June, 1976 Report of<br>Town Justice Dwan.   | R & F              |
| 408. Copy of the May, 1976 Report of<br>the Police Chief.   | R & F              |
| 409. Sheriff of Erie County to Supervisor -<br>Request support in having the 1977<br>Erie County Sheriff's Dept. Budget<br>returned to present operating level<br>with transmittal of resolution.     | Public Safety Comm |
| 410. Mrs. Marilyn Frank of Elma to Town Board -<br>Protest regarding reassessment as<br>reported in the Buffalo Evening News.   | R & F              |
| 411. Copy of the Planning Board Minutes for<br>Meeting #11 held on 7/7/76.  | R & F              |
| 412. Highway Sup't. to Town Board -<br>Request for old Dog Warden Truck for<br>use by the Highway Department.   | R & F              |
| 413. Depew Village Clerk to Town Clerk -<br>Transmittal of certified Extract of<br>Minutes from meeting of 7/26/76 regarding<br>abandonment of Conrad Pl. and Conway Ave.<br>in the Village of Depew. | R & F              |
| 414. Copy of letter from Town Attorney to Tryon<br>and Schwartz transmitting copy of contract<br>for Walden Pond Park.  | Attorney           |
| 415. Secretary, Planning Board to Town Board -<br>Notification of approval of Arcadi Rezone<br>Petition with transmittal of approval<br>recommendation from Tryon and Schwartz.                       | Public Hearing     |
| 416. Copy of the July, 1976 Report of the<br>Building Inspector.  | R & F              |

COMMUNICATIONS CONT'D.

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DISPOSITION

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| 417. Secretary, Planning Board to Town Board -<br>Denial recommended of Richards Rezone<br>Petition with transmittal of denial<br>recommendation from Tryon and Schwartz.  | <u>Public Hearing</u><br>_____<br>_____<br>_____         |
| 418. Copy of Notice of Meeting to be held on<br>8/4/76 at Cheektowaga Town Hall of the<br>Scajaquada Creek Basin Committee.  | <u>Highway Sup't.</u><br><u>Councilman Metz</u><br>_____ |
| 419. Police Chief to Town Board -<br>Report of Chiefs of Police Conference at<br>Rochester, New York.  | <u>R &amp; F</u><br>_____<br>_____                       |
| 420. Mrs. Robert Snyder to Town Board -<br>Expression of appreciation for<br>action taken on cleanup of debris on<br>Maple Drive.  | <u>R &amp; F</u><br>_____<br>_____                       |
| 421. Copy of letter from Lancaster Village Clerk<br>to Supervisor giving notice of meeting to<br>be held 8/4/76 at 7:00 P.M. at the Municipal<br>Building regarding installation of tennis courts<br>courts in the Court St. and Central Ave. Schools<br>parking lots during the summer. | <u>Supervisor</u><br>_____<br>_____<br>_____             |
| 422. Lancaster Village Clerk to Supervisor -<br>Request attendance at meeting on 8/4/76<br>at 7:00 P.M. at the Municipal Building to<br>discuss an Industrial Park.  | <u>Supervisor</u><br>_____<br>_____<br>_____             |
| 423. Copy of the Recreation Commission Minutes<br>of Meeting held 7/22/76.   | <u>R &amp; F</u><br>_____<br>_____                       |
| 424. Dir. of Recreation and Chairman, Recreation<br>Comm. to Town Board -<br>Notification of improvements made to<br>the Recreation Bldg. and request to<br>start other improvements.  | <u>Supervisor</u><br>_____<br>_____<br>_____             |
| 425. Dir. of Recreation and Chairman, Recreation<br>Comm. to Town Board -<br>Notification of incidents of vandalism<br>with costs involved for repairs.  | <u>Recreation Comm.</u><br>_____<br>_____<br>_____       |

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE  
TOWN BOARD AND CARRIED, the meeting was adjourned at 8:50 P.M. out of  
respect to:

Nicoletta M. Natalzia

Joseph Schwartz

Signed

Robert P. Thill  
Robert P. Thill Town Clerk